

Committee of the Whole (Public Meeting) Report

DATE: Monday, June 14, 2021

WARD: 3

TITLE: 2371933 ONTARIO INC.
OFFICIAL PLAN AMENDMENT FILE OP.21.006
ZONING BY-LAW AMENDMENT FILE Z.21.009
7520, 7540 AND 7560 WESTON ROAD
VICINITY OF WESTON ROAD AND HIGHWAY 7

FROM:

Haiqing Xu, Deputy City Manager Planning and Growth Management

ACTION: DECISION

Purpose

To receive comments from the public and Committee of the Whole on applications to redesignate the subject lands from “Mid-Rise Mixed-Use” to “High-Rise Mixed-Use” and rezone the subject lands from “C7 Service Commercial Zone” subject to site-specific Exception 9(477B), to “RA3 Residential Apartment Zone”, together with the site-specific exceptions identified in Table 1 of this report. The Owner, in advance of the completion of the Weston Road and Highway 7 Secondary Plan Study, seeks approval to permit a proposed development consisting of two mixed-use buildings with heights of 45 and 42-storeys sharing a 4-storey podium, 952 residential dwelling units, a maximum floor space index of 7.38 times the area of the lot and 1,247 m² of at-grade commercial floor space, as shown on Attachments 2 to 5.

Report Highlights

- To receive comments from the public and the Committee of the Whole on the proposed amendments to facilitate the development of 45 and 42-story buildings with at-grade commercial uses.
- Official Plan and Zoning By-law Amendments are required to permit the proposed development.
- The development is located within the Weston Road and Highway 7 Secondary Plan Area. The Owner proposes to obtain approval of the applications prior to the completion of the Weston Road and Highway 7 Secondary Plan Study; however, Council has not approved any applications proceeding in advance of the Weston Road and Highway 7 Secondary Plan.
- This report identifies preliminary issues to be considered in a technical report prepared by the Development Planning Department for a future Committee of the Whole meeting.

Recommendations

1. THAT to be consistent with a previous Council resolution for planning applications within the Weston Road and Highway 7 Secondary Plan area, dated September 29, 2020, the applications do not proceed in advance of the Weston Road and Highway 7 Secondary Plan being considered by Council;
2. THAT Staff be directed to continue to process Official Plan Amendment and Zoning By-law Amendment Files OP.21.006 and Z.21.009 (2371933 Ontario Inc.) and receive technical comments; and
3. THAT the Public Meeting report for Official Plan and Zoning By-law Amendment Files OP.21.006 and Z.21.009 (2371933 Ontario Inc.) BE RECEIVED, and that any issues identified be addressed by the Development Planning Department in a technical report to the Committee of the Whole.

Background

Location: 7520, 7540 and 7560 Weston Road (the 'Subject Lands'). The Subject Lands and the surrounding land uses are shown on Attachment 1.

Date of Pre-Application Consultation Meeting: November 25, 2020

The Subject Lands are located within an area identified as the Weston Road and Highway 7 Secondary Plan Area. The Owner is seeking a site-specific approval to proceed in advance of Council approval of the Secondary Plan

Vaughan Official Plan 2010 ('VOP 2010'), Schedule 14A - Areas Subject to Secondary Plans, identifies the Subject Lands as being located within the Weston Road and Highway 7 Secondary Plan Area ('Weston 7 Secondary Plan'). The Weston 7

Secondary Plan is comprised of a 129 ha area surrounding the Weston Road and Highway 7 intersection, bounded by Fieldstone Drive and Chrislea Road/Portage Parkway to the north, the Highway 400 corridor to the east, the Highway 407 corridor to the south, and Ansley Grove Road/Whitmore Road to the west, as shown on Attachment 1. The study area is located west of the Vaughan Metropolitan Centre ('VMC'), the City's planned downtown, primary growth node and Urban Growth Centre as identified in A Place to Grow - Growth Plan for the Greater Golden Horseshoe 2019 ('Growth Plan').

Vaughan Council on June 12, 2019, received the Weston 7 Secondary Plan Phase 1 final report and directed Staff to proceed with the request for proposal for Phases 2 and 3 based on the findings of the Phase 1 Report. The objective of Phase 1 of the Weston 7 Secondary Plan Study included the development of a long-term vision, a draft of three conceptual emerging land use scenarios showing how the character and function of the area can develop in the future and a set of guiding principles including:

- policies in the Weston 7 Secondary Plan will consider the plan area's relationship with the VMC, and with other Primary Centres within the City to ensure the City's urban hierarchy, as shown on Schedule 1 - Urban Structure of VOP 2010, is maintained
- a clearly defined role for the Weston 7 Secondary Plan within the City of Vaughan in order to ensure it complements other Primary Centres and the VMC, rather than competing with them
- while most of the Weston 7 Secondary Plan area will be planned as a mixed-use community, policies should build on the current strengths of the area, as a commercial, cultural and entertainment destination

The City in May 2020, initiated Phases 2 and 3 of the Weston 7 Secondary Plan. Through Phase 2, the preferred land use plan, including heights and densities, and the supporting transportation network, parks and open spaces, and servicing will be established to support the anticipated growth and create a complete community. Through Phase 3, a draft of the Weston 7 Secondary Plan will proceed to Council for adoption. A Transportation Master Plan ('TMP') is being undertaken concurrently with the Weston 7 Secondary Plan to develop the transportation infrastructure that supports the forecasted growth.

The Policy Planning and Environmental Sustainability Department ('PPES') has retained a consultant team led by The Planning Partnership for the Weston 7 Secondary Plan Study and Integrated Planning and Capital Asset Management ('IPCAM') has retained WSP to lead the TMP.

Council did not approve the recommendations to process other applications in the area in advance of the Weston 7 Secondary Plan

Council on September 29, 2020, considered Public Meeting reports for the following applications within the Weston 7 Secondary Plan:

- Wedgewood Columbus Limited Files OP.19.015 and Z.19.039 located at 7887 Weston Road
- Calloway REIT (400 and 7) Inc. Files OP.19.012 and Z.19.036 located at 137 Chrislea Road, 57 and 101 Northview Boulevard

Council on September 29, 2020, adopted the following resolution regarding these applications:

“That Council does not approve the applications proceeding in advance of the Weston 7 Secondary Plan being considered by Council.”

Official Plan and Zoning By-law Amendment Applications have been submitted to permit the proposed development in advance of the completion of the Weston 7 Secondary Plan

2371933 Ontario Inc. (the ‘Owner’) has submitted the following applications (the ‘Applications’) for the Subject Lands, in advance of the completion of the Weston 7 Secondary Plan, to permit the proposed development (the ‘Development’) consisting of two mixed-use apartment buildings with heights of 45-storeys (Tower A) and 42-storeys (Tower B), 952 total residential dwelling units, sharing a 4-storey podium containing a Gross Floor Area (‘GFA’) of 1,247 m² of at-grade commercial space, served by 3 levels of above ground parking and 2 levels of underground parking, as shown on Attachments 2 to 5:

1. Official Plan Amendment File OP.21.006 to redesignate the Subject Lands from “Mid-Rise Mixed-Use”, with no maximum prescribed height or density, to “High-Rise Mixed-Use” with a maximum permitted building height of 45-storeys and floor space index (‘FSI’) of 7.38 times the area of the lot.

The proposed Official Plan Amendment containing the policies and schedules, submitted by the Owner, is included as Attachment 6.

2. Zoning By-law Amendment File Z.21.009 to rezone the Subject Lands from “C7 Service Commercial Zone”, subject to site-specific Exception 9(477B), to “RA3 Residential Apartment Zone”, together with the site-specific exceptions identified in Draft Zoning By-law Amendment included as Attachment 7.

Public Notice was provided in accordance with the Planning Act and Council’s Notification Protocol

- a) Date the Notice of Public Meeting was circulated: May 7, 2021

The Notice of Public Meeting was also posted on the City's web-site at www.vaughan.ca and one Notice Sign was installed along each street frontage being Weston Road, Rowntree Dairy Road and Wings Road in accordance with the City's Notice Signs Procedures and Protocols.

- b) Circulation Area: An expanded notification area within 750 m of the Weston 7 Secondary Plan area boundary, as shown on Attachment 1, to the Weston Downs Ratepayers Association and to anyone on file with the Office of the City Clerk having requested notice.
- c) No comments have been received as of May 18, 2021 by the Development Planning Department.

Any written comments received will be forwarded to the Office of the City Clerk to be distributed to the Committee of the Whole as a Communication and be reviewed and addressed by the Development Planning Department in a future comprehensive report to the Committee of the Whole.

Previous Reports/Authority

The following is the link to the Weston 7 Secondary Plan Study (Phase 1) report: [June 19, 2019 Council Weston Road and Highway 7 Secondary Plan Study - Phase 1 Status Update \(Item 1, Report No. 23\)](#)

Analysis and Options

Amendments to Vaughan Official Plan 2010 ('VOP 2010') are required to permit the Development

Official Plan Designation:

- "Primary Centres" by Schedule 1 - Urban Structure in VOP 2010
- "Mid-Rise Mixed-Use" with no prescribed maximum building height or density, which are to be established through the Weston 7 Secondary Plan Study, by Schedule 13 - Land Use in VOP 2010
- This designation permits a range of uses including residential units, mid-rise, public, and private institutional building types, home occupations, community facilities, cultural uses, retail uses, office uses, parking garages, hotels, and gas stations
- The Owner proposes to redesignate the Subject Lands to the "High-Rise Mixed-Use" designation, with a maximum permitted building height of 45-storays and a maximum permitted FSI of 7.38 times the area of the lot to facilitate the Development, in advance of the Weston 7 Secondary Plan
- VOP 2010 includes the following policies regarding the consideration of a development application where a Secondary Plan has not been completed or commenced by the City:

- Policy 10.1.1.6 states: “That where it has been determined that a Secondary Plan is required but not yet completed, no amendments to this Plan or the zoning by-law will be permitted without prior or concurrent adoption of the Secondary Plan for that area.”;
- Policy 10.1.1.13 states: “That upon direction by Council to staff to proceed with the processing of a development application in advance of the Secondary Plan, it will be required that the Owner attend a pre-application consultation meeting with appropriate staff at which meeting the requirements for various studies will be established, to the satisfaction of the City, to be undertaken as part of a complete application.”; and
- Policy 10.1.1.9 of VOP 2010 also enables the City to request additional studies in support of a development application, it states (in part) “That in addition to the studies listed in Policy 10.1.3.3, the City may require the preparation of additional studies...as determined through the Pre-Consultation Meeting.”

Amendments to Zoning By-law 1-88 are required to permit the Development Zoning:

- “C7 Service Commercial Zone” (‘C7 Zone’) by Zoning By-law 1-88, and subject to site-specific Exception 9(477B)
- This Zone and site-specific Exception permits a range of service commercial uses including various automobile related uses, banks and financial institutions, banquet halls, business and professional offices, clubs or health centres, day nurseries, eating establishments, hotels, motels, convention centres, personal service uses, limited retail uses, pharmacies and retail warehouses restricted to the sale of certain goods as outlined in site-specific Exception 9(477B)
- This Zone does not permit residential uses
- The Owner proposes to rezone the Subject Lands to a “RA3 Residential Apartment Zone” (‘RA3 Zone’), together with the site-specific zoning exceptions identified in Attachment 7

Additional zoning exceptions may be identified through the detailed review of the Applications and will be considered in a technical report to a future Committee of the Whole meeting.

Following a preliminary review of the Applications, the Development Planning Department has identified the following matters to be reviewed in greater detail

	MATTERS TO BE REVIEWED	COMMENT(S)
a.	Conformity and Consistency with Provincial Policies, York Region and City Official Plan Policies	<ul style="list-style-type: none"> ▪ The Applications will be reviewed for consistency and conformity with the Provincial Policy Statement, 2020 (the ‘PPS’), the Growth Plan, and the policies of the York Region Official Plan, 2010 (‘YROP’), Weston 7 Secondary Plan and VOP 2010
b.	Appropriateness of Amendments to VOP 2010 and Consideration of the Applications in Advance of the Weston 7 Secondary Plan	<ul style="list-style-type: none"> ▪ The Subject Lands are located within the Weston 7 Secondary Plan Area, which is not approved at this time ▪ Should Council approve the Recommendations in this report, the Applications will not be considered by Council in advance of the Weston 7 Secondary Plan; however, staff will continue to process the Applications and receive comments ▪ The Applications will be reviewed in consideration of the required deliverables of the Weston 7 Secondary Plan, including, but not limited to, the draft Land Use Plan in relation to Vaughan’s City-Wide Urban Design Guidelines, analysis of parkland and affordable housing requirements in intensification areas, and the TMP ▪ The Applications will be reviewed in consideration of any emerging policies from the Secondary Plan study and the VOP 2010 policies, including but not limited to the following: <ul style="list-style-type: none"> – High-Rise Mixed-Use designation policies – High-Rise Buildings – Intensification Areas – Primary Centres – Regional Intensification Corridors – Major Retail Uses – Secondary Plan Policies – Appropriateness of the proposed building heights and density, road and pedestrian network, and land use – Transportation network assessment – Affordable Housing Policies – Park and Open Space and Recreation Policies

	MATTERS TO BE REVIEWED	COMMENT(S)
c.	The proposed Master Plan Demonstrates Competing Building Heights and Density with the Vaughan Metropolitan Centre ('VMC')	<ul style="list-style-type: none"> ▪ The VMC is intended to contain the tallest buildings and greatest densities as planned through VOP 2010 (Section 2.2.5 Intensification Areas) and is the only Regional Centre in the City of Vaughan. The VMC is also designated in the Growth Plan as an Urban Growth Centre ('UGC'). UGCs are to become focal areas for commercial, recreational, cultural and entertainment uses; accommodate and support the transit network at the regional scale; and accommodate significant population and employment growth ▪ When the VMC Secondary Plan was approved, the lands west of Highway 400, within the former Vaughan Corporate Centre, identified the Weston 7 Secondary Plan as separate and distinct from the VMC ▪ The proposed building height and density exceeds some of the approved and in-progress applications in the VMC, the City's downtown. The Subject Lands are separated from the VMC by Highway 400 and are within a Primary Centre as identified in VOP 2010 (Schedule 1 - Urban Structure). In consideration of the fundamental principle outlined in Phase 1 of the Weston 7 Secondary Plan vision statement and the Urban Structure established in VOP 2010, the Weston 7 Secondary Plan Area should not compete with the planned function of the VMC, but should become a complete community supportive of transit and mixed-use development appropriate for a Primary Centre ▪ The urban structure of the VMC Secondary Plan includes an intentional transition in heights, densities and land uses towards the boundaries of the downtown, including the frontage along Highway 400 which is designated with an east-west employment precinct and neighbourhood precinct permitting a maximum range of building heights from 10 to 25-storeys, and maximum FSI range from 3.5 to 4 north of Highway 7. Analysis of the contextual relationship, transition and scale should be considered carefully through the review of the Applications ▪ The VMC Secondary Plan Update has been initiated and will include collaboration between the VMC and Weston 7 Secondary Plan consultant teams

	MATTERS TO BE REVIEWED	COMMENT(S)
d.	Comprehensive Review	<ul style="list-style-type: none"> ▪ The Applications will be considered comprehensively with the existing and proposed development in the south-west quadrant of the Weston 7 Secondary Plan Area ▪ Transportation studies must investigate both site-specific and wider area transportation impacts while ensuring that potential improvements satisfy any future concerns and/or upgrades needed to the Weston 7 Secondary Plan area. The Development may need to be modified to protect for and not preclude the transportation network(s) and infrastructure improvements implemented through the completed Weston 7 Secondary Plan and TMP ▪ The studies submitted in support of the Applications will be reviewed to ensure they comprehensively address matters related to land use, built form, transportation, phasing, servicing, open space, and community uses ▪ The studies must satisfy all requirements of the Ministry of Transportation Ontario, York Region, and the City
e.	Appropriateness of Proposed Zoning and Site-Specific Exceptions	<ul style="list-style-type: none"> ▪ The appropriateness of the proposed rezoning of the Subject Lands and the proposed amendments to Zoning By-law 1-88 identified on Attachment 7 required to implement the Development will be reviewed in consideration of the existing, planned surrounding land uses
f.	Road Widening and Access	<ul style="list-style-type: none"> ▪ York Region must confirm the final planned road right-of-way width for Weston Road. In addition, driveway access locations, design, and road improvements, if required
g.	Sustainable Development	<ul style="list-style-type: none"> ▪ Opportunities for sustainable design, including Crime Prevention Through Environmental Design ('CPTED') , Leadership in Energy and Environmental Design ('LEED') , permeable pavers, bio swales, drought tolerant landscaping, energy efficient lighting, reduction in pavement etc., will be reviewed and implemented through the Site Plan review process, if the Applications are approved ▪ In accordance with the City of Vaughan Sustainability Metrics Program, the Development must achieve a minimum Bronze Threshold Application Score

	MATTERS TO BE REVIEWED	COMMENT(S)
h.	NavCanada and Bombardier Review	<ul style="list-style-type: none"> The Subject Lands are located within regulatory flight paths under the jurisdiction of NavCanada and Bombardier Aerospace. The Owner will be required to satisfy all conditions of NavCanada and Bombardier
i.	Studies and Reports	<ul style="list-style-type: none"> The Owner submitted studies and reports in support of the Applications which are available on the City's website at https://maps.vaughan.ca/planit/ (PLANit Viewer) and must be approved to the satisfaction of the City or respective approval authority. Additional studies and/or reports may be required as part of the Application review process
j.	Allocation and Servicing	<ul style="list-style-type: none"> The availability of water and sanitary servicing capacity for the Development must be identified and allocated by Vaughan Council, if the Applications are approved. If servicing allocation is unavailable, the Subject Lands will be zoned with a Holding Symbol "(H)", which will be removed once servicing capacity is identified and allocated to the lands by Vaughan Council
k.	Urban Design Guidelines and Public Art	<ul style="list-style-type: none"> The Development will be reviewed in consideration of the City-Wide Public Art Program, the City-Wide Streetscape Implementation Manual and City-Wide Urban Design Guidelines
l.	Site Development and Draft Plan of Condominium Applications	<ul style="list-style-type: none"> Site Development and Draft Plan of Condominium Applications will be required, if the Applications are approved, to permit the Development and to establish the future ownership tenure(s) for the buildings
m.	Design Review Panel ('DRP')	<ul style="list-style-type: none"> The DRP must review the Applications prior to proceeding to the Committee of the Whole
n.	Public Agency/Municipal Review	<ul style="list-style-type: none"> The Applications must be reviewed by York Region, the Toronto and Region Conservation Authority, the Ministry of Transportation Ontario, external public agencies and utilities, and the Public, Separate, and French School Boards
o.	Parkland Dedication	<ul style="list-style-type: none"> The Applications will be reviewed in consideration of the requirements of the <i>Planning Act</i> and the City of Vaughan's Parkland Dedication Policy.

	MATTERS TO BE REVIEWED	COMMENT(S)
p.	Section 37 of the <i>Planning Act</i> , VOP 2010 and City Guidelines (Bonusing for Increases in Height or Density)	<ul style="list-style-type: none"> ▪ The Applications will be subject to and reviewed in consideration of the City’s bonusing for increases in building height and/or density (Section 37 of the <i>Planning Act</i> as it reads September 17, 2020), policies of VOP 2010, and the City’s Guidelines for the Implementation of Section 37 of the <i>Planning Act</i>, whereby Council may authorize an increase in building height and/or density in return for community benefits ▪ As of the date of this report, the City can continue to apply the version of the Section 37 provisions in the <i>Planning Act</i> in effect as of September 17, 2020. By way of background, Bill 197, the <i>COVID-19 Economic Recovery Act, 2020</i>, received royal assent on July 21, 2020, and the Bill 197 provisions related to Section 37 were proclaimed to come into effect on September 18, 2020. Bill 197 repeals and replaces the Section 37 policy regime, as it read on September 17, 2020, with a new regime known as a Community Benefit Charge (‘CBC’), which charge shall not exceed an amount equal to the prescribed percentage of the value of the land (4%) ▪ Transitional provisions in the <i>Planning Act</i> permit municipalities to continue to apply the Section 37 provisions of the <i>Planning Act</i> as it read on September 17, 2020 until the earlier of the City’s passage of a CBC By-law September 18, 2022 (the date the transition ends). Should the approval and enactment of any Zoning By-law Amendment for the Subject Lands occur after the earlier of the City’s passage of a CBC By-law or September 18, 2022, the City will not be permitted to collect community benefits through Section 37 of the <i>Planning Act</i>, as it read on September 17, 2020. If the CBC By-law is in place at that time, the City will be permitted to collect community benefits pursuant to that instrument
q.	Affordable Housing	<ul style="list-style-type: none"> ▪ The Applications will be reviewed in consideration of Provincial, Regional and City polices to ensure that the development provides an appropriate level, range and mix of unit sizes and types to meet the City’s affordable housing goals

Financial Impact

There are no financial requirements for new funding associated with this report.

Broader Regional Impacts/Considerations

The Applications have been circulated to the York Region Community Planning and Development Services Department for review and comment. Any issues identified will be addressed when the technical report is considered. The Owner has requested exemption of Regional Approval for Official Plan Amendment File OP.21.006. At the time of the preparation of this report, York Region has not confirmed exemption from York Region approval of the Official Plan amendment application.

Conclusion

The preliminary issues identified in this report and any other issues identified through the processing of the Applications will be considered in the technical review of the Applications. Comments from the public and Vaughan Council expressed at the Public Meeting or in writing will be addressed in a comprehensive report to a future Committee of the Whole meeting.

For more information, please contact Chris Cosentino, Planner, Development Planning Department, ext. 8215.

Attachments

1. Location Map and Weston 7 Secondary Plan Area
2. Site Plan and Proposed Zoning
3. Landscape Plan
4. Building Elevations - South and East
5. Building Elevations - North and West
6. Draft Official Plan Amendment
7. Draft Zoning By-law Amendment

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